

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	DATE FILED:	_____
v.	:	CRIMINAL NO.	_____
RUMARDO DURTA	:	VIOLATION:	21 U.S.C. § 963 (conspiracy
A/K/A RUMANDO DUARTE	:		to import a controlled
A/K/A RAFAEL GONZALEZ	:		substance - 1 count)
GERALDO TAVERA	:		21 U.S.C. § 846 (attempted
A/K/A JOSE FIGUEROA	:		possession with intent to
			distribute a controlled
			substance - 1 count)

I N D I C T M E N T

Count One

THE GRAND JURY CHARGES THAT:

1. In or about December 2002, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

RUMARDO DURTA
A/K/A RUMANDO DUARTE
A/K/A RAFAEL GONZALEZ and
GERALDO TAVERA
A/K/A JOSE FIGUEROA

knowingly and intentionally conspired, and agreed, with each other and with persons known and unknown to the grand jury, to import a mixture or substance containing a detectable amount of 3,4-Methylenedioxymethamphetamine/MDMA ("Ecstasy"), that is, approximately 5,430 Ecstasy tablets, a Schedule I controlled substance, into the United States from a place outside thereof, that is, the Netherlands via Germany, in violation of Title 21, United States Code, Section 952(a).

MANNER AND MEANS

It was a part of the conspiracy that:

2. Defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ, working from Philadelphia, agreed to accept shipment of a large number of Ecstasy tablets (ultimately approximately 5,430 having a street value of approximately \$108,600) from a supplier in the Netherlands (the "Source") for the purpose of transshipping the drugs to New York City.

3. Defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ hired defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA to provide a name and address in Philadelphia to which the Source could ship the parcel.

4. Defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, attempted to shield his identity and involvement in the conspiracy, and that of defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ, by persuading a person known to the grand jury to accept delivery of the Ecstasy shipment at her address at 4054 North 6th Street, Philadelphia, Pennsylvania (the "drop address") under the fake name Maria Perez.

5. The Source attempted to conceal the Ecstasy in the Netherlands by placing it in a hollowed out book wrapped as a present, which the Source then packaged in a box for delivery.

6. The Source attempted to shield his identity by placing a fake Netherlands return address on the package.

7. The Source attempted to avoid detection of the Ecstasy by law enforcement and—in any event—to monitor whether the package had been intercepted by law enforcement—by shipping the parcel by express mail and via a private international carrier.

8. Defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, alerted defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ, as soon as the parcel arrived at the drop address and delivered the package to defendant DURTA.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. In or about December 2002, defendant Defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ agreed to accept at Philadelphia a delivery of Ecstasy tablets from the Netherlands for transshipment to New York City.

2. In or about December 2002, defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ hired defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, to provide a name and Philadelphia address to which the Source could ship the parcel.

3. In or about December 2002, defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, persuaded a person known to the grand jury to accept delivery of the shipment at 4054 North 6th Street, Philadelphia, PA under the fake name Maria Perez.

4. On or about December 15, 2002, the Source placed approximately 5,430 Ecstasy tablets with a street value of approximately \$108,600 in a hollowed out book, wrapped the book as a present, boxed the wrapped book for express mail by UPS, affixed a fake Netherlands return address to the package, and addressed the package to Maria Perez, 4054 North 6th Street, Philadelphia, PA, USA.

5. On or about December 16, 2002, the Source shipped the package via UPS express delivery, airway bill number W7578604135.

6. On or about December 19, 2002, defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, supervised the receipt of the package by a person known to the grand jury at 4054 North 6th Street, Philadelphia, who signed for the package as Maria Perez.

7. On or about December 19, 2002, defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, alerted defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ, that the parcel had arrived.

8. On or about December 19, 2002, defendant RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ, drove to 4054 North 6th Street, Philadelphia, and picked up both defendant GERALDO TAVERA, a/k/a JOSE FIGUEROA, and the parcel.

9. On or about December 19, 2002, defendants GERALDO TAVERA, a/k/a JOSE FIGUEROA, and RUMARDO DURTA, a/k/a RUMANDO DUARTE, a/k/a RAFAEL GONZALEZ, opened the package.

All in violation of Title 21, United States Code, Section 963.

Count Two

THE GRAND JURY FURTHER CHARGES THAT:

On or about December 19, 2002, at Philadelphia, in the Eastern District of
Pennsylvania, defendants

RUMARDO DURTA
A/K/A RUMANDO DUARTE
A/K/A RAFAEL GONZALEZ and
GERALDO TAVERA
A/K/A JOSE FIGUEROA

knowingly and intentionally attempted to possess with intent to distribute a mixture or substance containing a detectable amount of 3,4-Methylenedioxymethamphetamine/MDMA ("Ecstasy"), that is, approximately 5,430 Ecstasy tablets, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
United States Attorney